

SENATE BILL 655

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1999 Regular Session  
9r2284  
CF 9r2021

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By: ~~Senator Conway~~ Senators Conway, Currie, DeGrange, Hoffman, Hogan,  
Kasemeyer, Lawlah, McFadden, Middleton, Munson, Neall, Ruben,  
Stoltzfus, and Van Hollen

Introduced and read first time: February 11, 1999  
Assigned to: Rules  
Re-referred to: Budget and Taxation, February 16, 1999

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 23, 1999

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Income Tax - United States Coast Guard Auxiliary Members**

3 FOR the purpose of making certain members of the United States Coast Guard  
4 Auxiliary eligible for a certain subtraction modification under the Maryland  
5 income tax for qualifying volunteer fire, rescue, or emergency medical services  
6 members; providing that an individual may not qualify for the subtraction  
7 modification based on membership in the United States Coast Guard Auxiliary  
8 unless the United States Coast Guard Auxiliary maintains certain records and  
9 provides certain reports; providing for the application of this Act; and generally  
10 relating to an income tax subtraction modification for certain members of the  
11 United States Coast Guard Auxiliary.

12 BY repealing and reenacting, with amendments,  
13 Article - Tax - General  
14 Section 10-208(i-1)  
15 Annotated Code of Maryland  
16 (1997 Replacement Volume and 1998 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Tax - General**

2 10-208.

3 (i-1) (1) The subtraction under subsection (a) of this section includes an  
4 amount equal to \$3,500 if an individual is a qualifying volunteer fire, rescue, or  
5 emergency medical services member for the taxable year, as determined under  
6 paragraph (2) of this subsection.

7 (2) An individual is a qualifying volunteer fire, rescue, or emergency  
8 medical services member for the taxable year eligible for the subtraction modification  
9 under this subsection if the individual:

10 (i) is an active member of a bona fide Maryland fire, rescue, or  
11 emergency medical services organization OR OF THE UNITED STATES COAST GUARD  
12 AUXILIARY;

13 (ii) serves the organization in a volunteer capacity without  
14 compensation, except nominal expenses or meals;

15 (iii) 1. qualifies for active status during the taxable year under:

16 A. a volunteer fire, rescue, or emergency medical services  
17 personnel length of service award program operated by a county or municipal  
18 corporation of the State, if the length of service award program requires for active  
19 status qualification a minimum of 50 points per year and that points be earned in at  
20 least two different categories; or

21 B. a point system established by a county or municipal  
22 corporation that does not operate a volunteer fire, rescue, or emergency medical  
23 services personnel length of service award program OR BY THE UNITED STATES  
24 COAST GUARD AUXILIARY, to identify active volunteer fire, rescue, or emergency  
25 medical services members, if the point system requires for active status qualification  
26 a minimum of 50 points per year and that points be earned in at least two different  
27 categories; or

28 2. has maintained active status for at least 25 years under a  
29 volunteer fire, rescue, or emergency medical services personnel length of service  
30 award program or a point system established in lieu of a length of service award  
31 program; and

32 (iv) will have been an active member of a bona fide Maryland fire,  
33 rescue, or emergency medical services organization OR OF THE UNITED STATES  
34 COAST GUARD AUXILIARY for at least 72 months during the last 10 calendar years by  
35 December 31 of the taxable year.

36 (3) (I) Each fire, rescue, or emergency medical services organization  
37 ~~AND THE UNITED STATES COAST GUARD AUXILIARY~~ shall:

1                   (+)     1.     maintain a record of the points earned by each individual  
2 during each calendar year;

3                   (++)    2.     provide each member a report identifying the number of  
4 points earned in each category by February 15 of the following year; and

5                   (+++)   3.     provide a report that includes the names, Social Security  
6 numbers, and points earned by those members qualifying for the subtraction  
7 modification under this ~~section~~ SUBSECTION to the Maryland State Firemen's  
8 Association by May 1 of the following year.

9                   (II)    AN INDIVIDUAL MAY NOT QUALIFY FOR THE SUBTRACTION  
10 UNDER THIS SUBSECTION BASED ON MEMBERSHIP IN THE UNITED STATES COAST  
11 GUARD AUXILIARY UNLESS THE UNITED STATES COAST GUARD AUXILIARY:

12                           1.     MAINTAINS A RECORD OF THE POINTS EARNED BY EACH  
13 INDIVIDUAL DURING EACH CALENDAR YEAR;

14                           2.     PROVIDES EACH MEMBER A REPORT IDENTIFYING THE  
15 NUMBER OF POINTS EARNED IN EACH CATEGORY BY FEBRUARY 15 OF THE  
16 FOLLOWING YEAR; AND

17                           3.     PROVIDES A REPORT THAT INCLUDES THE NAMES,  
18 SOCIAL SECURITY NUMBERS, AND POINTS EARNED BY THOSE MEMBERS  
19 QUALIFYING FOR THE SUBTRACTION MODIFICATION UNDER THIS SUBSECTION TO  
20 THE COMPTROLLER ON OR BEFORE OCTOBER 1 OF EACH YEAR.

21                   (4)     To qualify for the subtraction modification under this subsection, an  
22 individual shall attach to the individual's income tax return a copy of the report  
23 provided by the organization under paragraph (3) of this subsection.

24                   (5)     On or before October 1 of each year, the Maryland State Firemen's  
25 Association shall submit to the Department of Public Safety and Correctional  
26 Services and the Office of the Comptroller a report stating the participation in the  
27 point system by the various local subdivisions ~~OR THE UNITED STATES COAST GUARD~~  
28 ~~AUXILIARY~~ with the names and Social Security numbers of individuals who qualified  
29 for the subtraction modification under this subsection for the preceding taxable year.

30                   (6)     (i)     A person may not knowingly make or cause any false statement  
31 or report to be made in any application or in any document required under this  
32 subsection.

33                           (ii)    Any person who violates or attempts to violate any provision of  
34 subparagraph (i) of this paragraph shall be subject to a fine of \$1,000.

35     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 July 1, 1999 and shall be applicable to all taxable years beginning after December 31,  
37 1998.

